

In fact, a recent survey reported that thousands of ER doctors have actually seen an increase in emergency room visits since the start of last year. One physician from Lexington was quoted as saying he had seen “a huge backlog in the ER because the volume has increased.” He went on to say that ER volume rose by almost a fifth in the first few months of this year, which is nearly double—nearly double—what he saw last year in the same period.

There are a lot of reasons for these increases, but as one ER physician put it, “visits are going up despite the ACA, and in a lot of cases because of it.”

Volume in the ER is driven as a result of coverage expansion, adding a lot of new people, that has largely been born by the Medicaid program. As I have said previously, though, increasing coverage doesn't guarantee access to care, and prior to Medicaid expansion, Kentucky already faced a shortage of physicians participating in Medicaid. Now, there are more than 300,000 additional enrollees—adding 300,000 new people to an already broken system. So when Americans on Medicaid get sick and can't find a doctor, who will treat the Medicaid patients? Where do they end up? Of course, in the emergency room.

Here is how one Kentucky newspaper described it last year:

That's just the opposite of what many people expected under ObamaCare, particularly because one of the goals of health reform was to reduce pressure on emergency rooms by expanding Medicaid and giving poor people better access to primary care.

Instead [what is happening], many hospitals in Kentucky and across the nation are seeing a surge of those newly insured Medicaid patients walking right into emergency rooms.

One Kentucky doctor described it as a “perfect storm”—a perfect storm. “We've given people an ATM card,” he said, “in a town with no ATMs.”

Given ObamaCare's most famous broken promise about Americans being able to keep the health plans they liked, it is easy to see how a person who had access to good insurance and quality care before ObamaCare would find himself or herself forced onto Medicaid and into the emergency room today. A recent report found that among certain hospitals in Kentucky, as many as one in five individuals covered by Medicaid had previously had private health insurance.

So, unfortunately, it wasn't hard to see this coming. A lot of us warned about it. We warned that providing supposed health coverage, without actually giving someone access to health care, is really just a hollow promise. You could promise coverage, but it doesn't mean anything if there is nobody there to care for the people who are covered.

The same could be said of warnings regarding the impact of ObamaCare's deep Medicare cuts and the impact of that on hospitals. I wish the politicians who rammed ObamaCare through over

the objections of the American people had heeded these warnings. We made all these warnings 6 years ago.

So this is just one more reminder why ObamaCare is bad for Kentucky, why it is bad for the middle class, and why it is bad for our country.

But here is the good news. The new Congress just passed a balanced budget this week with legislative tools that will allow us to begin to address ObamaCare's broken promises. I hope President Obama and our colleagues across the aisle will work with us to do so.

We owe the American people more than ObamaCare's broken promises. We owe them real health reform that lowers costs and increases choice.

I hope our friends across the aisle will work with us in a bipartisan way to help achieve that important outcome.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### FISA DATA

Mr. REID. Mr. President, yesterday the House of Representatives voted overwhelmingly—with approximately 330 votes—to end the bulk collection of Americans' phone records. Last week a Federal court, the Second Circuit Court of Appeals, ruled that the Federal Government's bulk collection program is illegal.

The majority leader seems prepared to lead the Senate into reauthorizing an illegal program. He has spoken here on the floor in that regard. So how can one reauthorize something that is illegal?

This is not a partisan issue. Democrats and Republicans are united in favor of reforming the National Security Agency and how they collect their data.

The House, yesterday, as I indicated, voted in favor of reform, overwhelmingly, but Republicans in the Senate want to move forward without making any changes. I don't think so.

The Republican leader is isolated in his desire for a clean extension of illegal spying programs. For example, the chairman of the Judiciary Committee in the House of Representatives, Mr. GOODLATTE, said yesterday that if the House gets an extension of FISA—the Foreign Intelligence Surveillance Act—it will go nowhere. It is dead, according to the chairman.

Republicans and Democrats have vowed to filibuster a clean extension if the Republican leader brings one to the floor. That is what is going to happen here in the Senate. I have heard extended statements by the junior Senator from Kentucky, who said that. There are others who feel the same way. Even if my friend plows forward in the face of what the bipartisan opposition is to this matter, it will take at

least a week to secure the vote. And maybe that isn't even possible.

We have a chance to take bipartisan action that protects Americans' civil liberties. It would be irresponsible for us to squander this opportunity.

#### AMTRAK TRAIN DERAILMENT

Mr. REID. Mr. President, as I said yesterday, my heart goes out to those who suffered in the terrible accident of Amtrak's Northeast Regional Train No. 188, on Tuesday night at 9 p.m., when the accident occurred. As we now know, the train was going more than 100 miles an hour on a curve where it should have been going 50 miles an hour.

It is very tragic. Seven people died and scores are injured. There were about 250 people on the train. It is unfortunate that sometimes it takes an event such as this before policymakers learn what they need to learn. But worse still would be if policymakers fail to learn anything at all.

National Transportation Safety Board member Robert Sumwalt said there is technology available called positive train control that would have prevented this accident. That technology is in place in a few places in the Northeast corridor. This Northeast corridor, millions of people travel there, but it is not yet in place where the accident happened.

There are Members of the Republican Senate who have for years denigrated, belittled, and harmed the Amtrak system. I have watched this, and it is really unfair. They attack Amtrak every year, every appropriations process. Many on the far right regularly try to punch the Nation's train system right in the gut. They have made it a punching bag.

Yesterday, the House of Representatives approved a bill that underfunds Amtrak by another one-quarter of a billion dollars. The day after that tragic accident, they say: We are going to help Amtrak by cutting spending by another one-quarter of a billion dollars.

A nation's train system can be efficient and productive. It can be a point of national pride, but too often neglect of Amtrak has left America's train system a disappointing embarrassment. Amtrak is a vital part of our Nation's economy, and everyone should understand that. It helps—I repeat—millions and millions of people get where they need to go. It takes cars off congested highways. It takes people away from airports.

For the safety of rail passengers, for the business it helps to foster, and for the reputation of our great Nation, I hope we can learn to invest more in this important national resource. They need more, not less.

#### AFFORDABLE CARE ACT

Mr. REID. Mr. President, my friend, the Republican leader, must be in denial to come to the floor and talk

about ObamaCare the way he did. He is neglecting the facts. I will only repeat a few of them.

No. 1, there are 17 million people who now have health insurance who didn't. Using his own numbers, he said: One out of every five people who went to the emergency room in Kentucky had insurance, private insurance. Four-fifths of them had no insurance. They have it now. That says it all.

Rather than cut Medicare and cut Medicaid, as in the Republican budget—they should not be doing that. The reason there are long waiting lines is because Republicans are not helping us fund Medicare and Medicaid in an appropriate fashion.

The late Senator Ted Kennedy once said: "An essential part of our progressive vision is an America where no citizen of any age fears the cost of health care."

We are not there yet, but since the Affordable Care Act became law, that vision has become more of a reality every day. The facts are indisputable. Health care costs are growing at a historically low rate.

The overall health of Americans is improving, and health care providers are now finding innovative ways to reduce health care spending while improving the quality of care that patients have.

Last week, the Department of Health and Human Services announced that a key pilot program created by the Affordable Care Act saved Medicare almost \$400 million in 2 years. This is good news.

The Pioneer accountable care organization model was launched by the Centers for Medicare and Medicaid Services in an effort to improve health care delivery and payment options.

An independent evaluation of this model shows an average of about \$300 in savings per beneficiary every year. Rather than being a model, it should cover all patients. Right now this model is serving more than 600,000 Americans.

The idea is called accountable care. Accountable care organizations tie provider reimbursements to quality metrics and reductions in the total cost of care for patients—better care, less costs.

What is most remarkable about this program is that huge savings are being achieved without threatening the quality of care the patients receive. In fact, the quality of care is improving.

Medicare beneficiaries within the Pioneer accountable care organization model have reported more timely care and improved communication with the health care providers. They now have an ability to understand what is happening to their health care. Their questions are being answered. These patients use inpatient hospital services less and have fewer tests and have fewer procedures. That is what it is all about.

Last week's announcement shows that the Affordable Care Act is working, to the tune of \$400 million.

Can you imagine the impact this pilot program will have on health care costs when it is expanded? It is true that we have more work to do to ensure quality affordable health care for every American. These reports show Senator Kennedy's vision for America's health care system is beginning to become a reality.

Mr. President, would you be kind enough to announce the business of the day.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 10 a.m.

Mr. REID. Mr. President, I see no one on the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TESTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### HONORING DEPUTY SHERIFF JOE DUNN

Mr. TESTER. Mr. President, I rise to honor Cascade County Deputy Sheriff Joe Dunn, a dedicated public servant who died in the line of duty on August 14, 2014.

On behalf of all Montanans, I want to thank Deputy Dunn for his service to our Nation and to the community of Great Falls, MT. Before enlisting to serve and protect his neighbors as a deputy sheriff, Joe Dunn served our Nation in the U.S. Marine Corps and deployed to the battlefields of Afghanistan.

Upon returning to Montana, Deputy Dunn married the love of his life, Robynn. They had two children, Joey and Shiloh, who were the center of his universe. Deputy Dunn's deep commitment to Jesus and his love for his family were the guiding principles in which he lived his life.

Montana's leaders have permanently honored the life and service of Deputy Dunn by naming an 8-mile stretch of Interstate 15 outside of Great Falls, MT. It is named the Joseph J. Dunn Memorial Highway.

On May 15, 2015, Peace Officers Memorial Day, Deputy Dunn's name will be enshrined forever alongside 273 other brave peace officers who were killed in the line of duty.

During his lifetime of service, Deputy Dunn always went beyond the call of duty to ensure the safety of those he

served, often working the evening shift and long hours away from his family. Deputy Dunn always put others above himself, and he is the kind of leader every Montanan can be proud of.

Everyone who knew Deputy Dunn has been touched by his commitment to serve others and his passion for making his community a better place to call home. But above all, Joe Dunn was a family man. Regardless of the length of his shift or the difficulty of his day, his top priority was that of being a father.

Today, as a body, we offer our deepest thoughts and prayers to his family, Robynn, Joey, and Shiloh. The State of Montana and this country are endlessly grateful for his service.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TOOMEY). Without objection, it is so ordered.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### IRS BUREAUCRACY REDUCTION AND JUDICIAL REVIEW ACT

#### AMERICA GIVES MORE ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 1295 and H.R. 644 en bloc, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1295) to amend the Internal Revenue Code of 1986 to improve the process for making determinations with respect to whether organizations are exempt from taxation under section 501(c)(4) of such Code.

A bill (H.R. 644) to amend the Internal Revenue Service of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory.

Thereupon, the Senate proceeded to consider the bills en bloc.

#### AMENDMENTS NOS. 1223 AND 1224

The PRESIDING OFFICER. Under the previous order, the Hatch amendments, amendment No. 1223 to H.R. 1295 and amendment No. 1224 to H.R. 644, are considered and agreed to.

(The amendment (No. 1223) in the nature of a substitute is printed in the RECORD of May 13, 2015, under "Text of Amendments.")

(The amendment (No. 1224) in the nature of a substitute is printed in the RECORD of May 13, 2015, under "Text of Amendments.")

The PRESIDING OFFICER. Under the previous order, the time until 12 noon will be equally divided in the usual form.